

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

JERRY SMITH and DEBORAH SMITH,)	
)	
Plaintiffs/Counter-Defendants,)	
)	
v.)	Civil No. 3:08-0549
)	Judge Trauger
MPIRE HOLDINGS, LLC., a/k/a MRT Holdings,)	Magistrate Judge Bryant
THE MOMENTUM GROUP, MARK MANUEL,)	
GREG MANUEL (and Counter-Plaintiff),)	
MIKE MANUEL (and Counter-Plaintiff), and)	
JAMES CLEMENTS,)	
)	
Defendants.)	

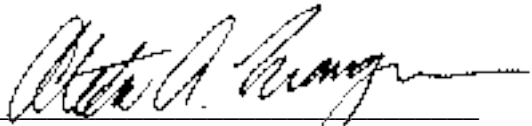
ORDER

Counsel for the plaintiffs has filed an Appeal with this court from the Magistrate Judge's Order entered June 7, 2012 (Docket No. 407), denying his request to participate by telephone in the show cause hearing scheduled for June 8, 2012. (Docket No. 408) In the Magistrate Judge's Order, he denied the motion to participate by telephone "without prejudice to counsel's right to file a motion to reschedule the show cause hearing to a more convenient time or, alternatively, to seek review of this Order by the district judge. . . ." (Docket No. 407 at 1) Instead of appealing to this court, it appears that, had counsel, instead, filed a motion to reschedule the show cause hearing to a time when he could secure more economical air transportation, that motion would have been granted by the Magistrate Judge. In any case, the alternative request made by plaintiff's counsel in his Appeal, that the hearing be postponed so that he may secure a more economical advance travel booking, is **GRANTED**. The Magistrate Judge is requested to reschedule this show cause hearing no sooner than July 9, 2012.

It is further **ORDERED** that plaintiffs' counsel shall give immediate notice of this Order and the postponement of the hearing scheduled for June 8, 2012 to the plaintiff, Deborah White (formerly Smith).

It is so **ORDERED**.

ENTER this 7th day of June 2012.



ALETA A. TRAUGER
U.S. District Judge